DRAFT
ENVIRONMENTAL ASSESSMENT

Mattson Property Fishing Access Site Acquisition and Development

July 2020

Mattson Property Fishing Access Site Acquisition and Development
Draft Environmental Assessment
MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. Type of proposed state action:

Montana Fish, Wildlife & Parks (FWP) proposes to purchase 14.89 acres along US Highway 93 at Montibello Lane adjacent to Flathead Lake to be developed and managed as a Fishing Access Site (FAS). The proposed site is approximately one mile east of Dayton, Montana. Site developments would include access roads, parking area, a concrete boat ramp, boat dock, vault latrine, on-site host site, signage and boundary fencing. This proposal would increase public access on Flathead Lake for boating, fishing and shore-based recreation.

2. Agency authority for the proposed action:

The 1977 Montana Legislature enacted Section 87-1-605, Montana Code Annotated (MCA), which authorized the collection of fees and charges used for the purchase, operation, development, and maintenance of fishing accesses; stream, river, and lake frontages; and the land considered necessary to provide recreational use of fishing accesses and stream, river, and lake frontages...". The legislature earmarked a funding account to ensure that the fishing access site program would be implemented. Sections 23-1-105, 23-1-106, 15-1-122, 61-3-321, and 87-1-303, MCA, authorize the collection of fees and charges for the use of state park system units and fishing access sites, and contain rule-making authority for their use, occupancy, and protection. Furthermore, Section 23-1-110, MCA, and Administrative Rules of Montana (ARM) 12.2.433 guide public involvement and comment for the improvements at state parks and fishing access sites, which this document provides.

ARM 12.8.602 requires the Department to consider the wishes of users and the public, the capacity of the site for development, environmental impacts, long-range maintenance, protection of natural features and impacts on tourism as these elements relate to development or improvement to fishing access sites or state parks. This document will illuminate the facets of the proposed project in relation to this rule. See Appendix A for HB 495 qualification.

3. Name of project:

Mattson Property Fishing Access Site Acquisition and Development

4. Project sponsor:

Montana Fish, Wildlife and Parks, Region 1
490 N. Meridian Rd.
Kalispell, MT 59901
(406) 752-5501

5. Anticipated Schedule:

Estimated Public Comment Period: August 2020
Estimated Decision Notice: September 2020
Fish and Wildlife Commission and Land Board Consideration: October-December 2020
Estimated Closing: September 2021
Estimated Construction Beginning: Late 2021-Spring 2022
Estimated Construction Completion: Summer 2022
Current Status of Project Design: 20%

6. Location:

The property is in Lake County, Montana, off U.S. Highway 93 along Montibello Lane and approximately one mile east of Dayton, and on the western shore of Flathead Lake. There is an approach and road that accesses this property and a neighboring property. The land is in Section 2, Township 24 North, Range 21 West (Figures 1 and 2).

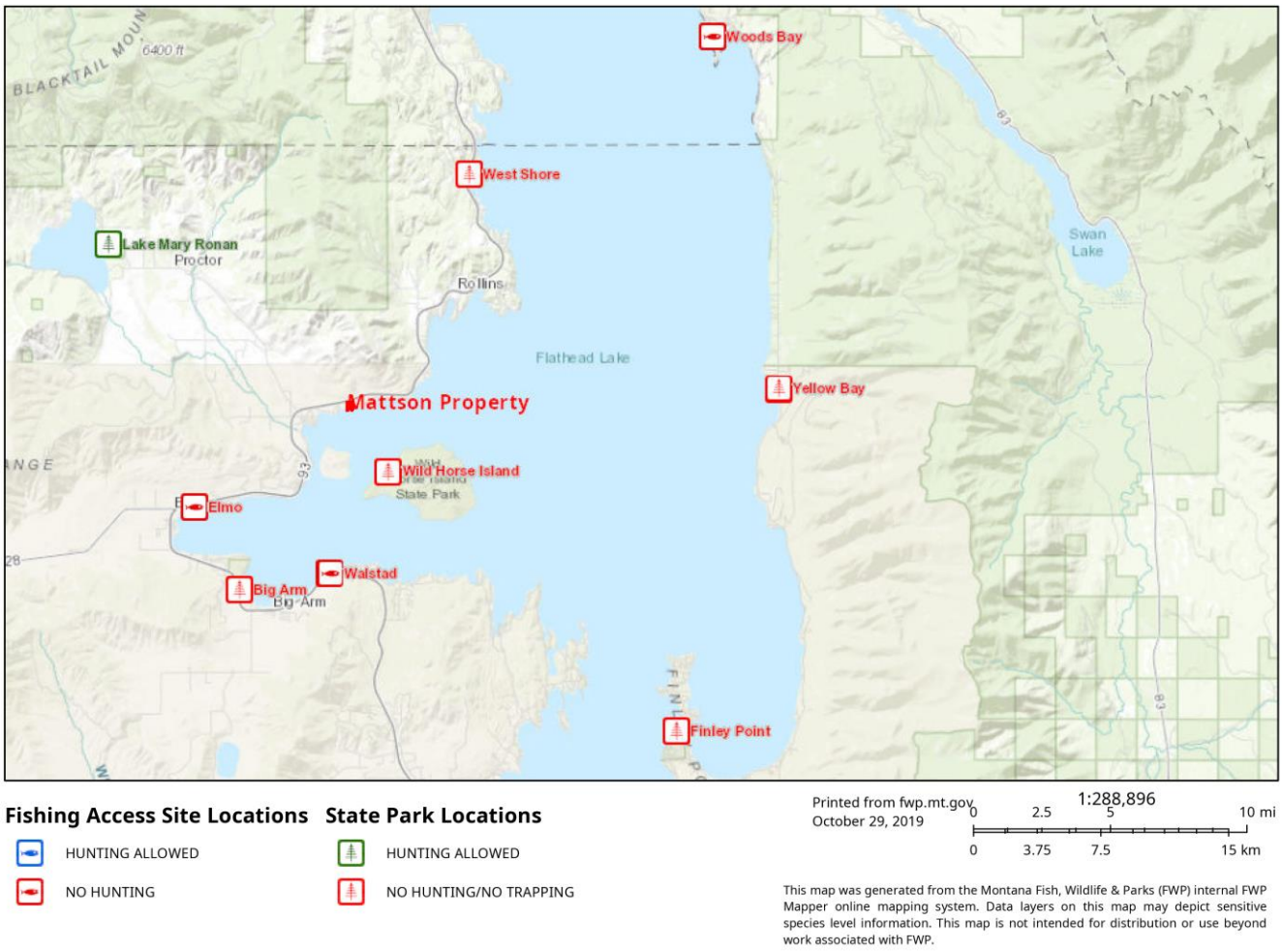

Figure 1. The Mattson property along Flathead Lake in Northwest Montana. *Note: The above map shows Elmo Fishing Access Site; that property is now a Lake County public access site.*

Figure 2. Lot proposed for purchase on the western shore of Flathead Lake along Montibello Lane off U.S. Highway 93 one mile east of Dayton.

Project size:

	Acres		Acres
(a) Developed:		(d) Floodplain	0
Residential	0		
Industrial	0	(e) Productive:	
		Irrigated cropland	0
(b) Open Space/ Woodlands/Recreation	12.89	Dry cropland	0
		Forestry	0
(c) Riparian/Wetland Areas	2.0	Rangeland	0
		Other	0

* Approximate acreages.

8. Local, State or Federal agencies with overlapping or additional jurisdiction:

(a) Permits: All permits would be secured prior to construction

Agency Name	Permits
Lake County	Lakeshore Protection (ramp and dock)
Lake County	Sanitation (latrine and septic)
Montana Dept of Environmental Quality	318 Short Term Water Quality Standard for Turbidity
US Corps of Engineers	404 Federal Clean Water Act

(b) Funding:

Agency Name	Funding Amount
Acquisition (FWP)	$400,000
Acquisition (Federal Aid in Sport Fish Restoration Act)	$1,400,000
Development	$650,000
TOTAL	$2,450,000

**These figures are approximate based on preliminary appraisal. The purchase is contingent on a yellow book appraisal along with interest, costs and expenses factored into negotiations with MOLF. The final sale would be dependent on the Fish and Wildlife Commission and State Land Board approval, as well as funding approvals.*

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

Historical consultation, weed compliance and tribal consultations would be completed prior to construction

Agency Name	Type of Responsibility
Confederated Salish Kootenai Tribes (CSKT)	Various Coordination*
Natural Heritage Program	Species of Concern
Lake County Weed District	Weed Management Coordination
State Historic Preservation Office (SHPO)	Historic Consultation

*The property is within the boundary Flathead Reservation and FWP will consult with CSKT as the development phase of the project progresses

9. Narrative summary of the proposed action:

Montana Department of Fish, Wildlife and Parks proposes to purchase 14.89 acres adjacent to Flathead Lake approximately one mile east of Dayton on US Highway 93 from the Montana Outdoor Legacy Foundation to be developed and managed as a Fishing Access Site (FAS). The property contains 650 feet of Flathead Lake shoreline that would provide public access for boating and non-boating recreational use, such as swimming, fishing, and picnicking. Unlike many of the FASs on Flathead Lake, this site has a substantial amount of shoreline to accommodate such uses. Developments would include access roads, parking areas, a boat ramp, dock, vault latrine, signage, boundary fencing and a host campsite. This proposal would increase public access on Flathead Lake. As per the Statewide Fisheries Management Program and Guide, FWP will continue to pursue opportunities to increase access on popular water bodies, such as Flathead Lake, where user numbers are increasing to levels above the capacity of existing sites. Currently 89 percent of the shoreline of Flathead Lake, excluding islands, is in private ownership. Any additional public access opportunity on the largest freshwater lake west of the Mississippi River would be very popular. This site would help ease pressure on other busy boat launches on

Flathead Lake. The proximity of the proposed site to Wild Horse Island makes it a desirable launching point.

Flathead Lake provides a popular recreational fishery for species including Lake Trout, Lake Whitefish, and Yellow Perch. In 2017, the fishery supported approximately 42,195 angler days. Each spring and fall, the Confederated Salish & Kootenai Tribes host the Mack Days fishing tournament. These events regularly attract over 400 contestants. The tournament is intended to reduce the abundance of non-native Lake Trout.

Flathead Lake supports 9 species of native fish. Of these, Westslope Cutthroat Trout and Bull Trout are species of concern. Bull Trout are also a federally listed Threatened Species. Restrictive regulations prohibit angling for Bull Trout and the harvest of each species and conservation actions throughout the drainage have targeted these fish. Monitoring efforts performed by FWP indicate that Bull Trout and Cutthroat Trout abundance are non-trending. In addition to native trout, Flathead Lake also supports Mountain and Pygmy Whitefish, Largescale and Longnose Sucker, Northern Pikeminnow, Peamouth Chub and Redside Shiners.

Flathead Lake is also very popular with recreational (non-angling) boaters, including motorized and non-motorized watercraft. Shore-based activities such as picnicking, swimming, photography and wildlife viewing are also very popular along the shoreline. Public access to the lake and shoreline is in high demand. Recreational activity on Flathead Lake generates a considerable amount of economic activity in nearby communities. According to Jan Stoddard of the Montana Office of Tourism and Business development, Flathead Lake is one of Montana's most important water recreation assets (Appendix B).

The nearest other public access to Flathead Lake is approximately 1 mile west in Dayton. The small unofficial boat launch on Lake County property does not have adequate parking. Boaters have been parking on the sides of the streets in Dayton and causing problems for residents. Other FWP Fishing Access Sites, State Parks and County Parks are often full or overflowing during the busy summer season.

The current owners of this property have long been interested in selling to a public agency for public access and conservation and are willing to sell below appraised value. The owners are working with the Montana Outdoor Legacy Foundation (MOLF) and sold or likely will sell the property to the non-profit organization shortly, with the intent that FWP would eventually acquire the property from MOLF in 2021 upon legislative and funding authorizations.

A preliminary appraisal on the property in spring 2020 estimated the site at approximately $1.8 million. After MOLF purchases the property, FWP will work with MOLF to purchase the property in Fall 2021. The intent is to pay less than appraised value plus MOLF's out-of-pocket expenses, so long as FWP does not pay greater than appraised value. The purchase is contingent on a yellow book appraisal along with interest, costs and expenses factored into negotiations with MOLF. The final sale would be dependent on the Fish and Wildlife Commission and State Land Board approval, as well as funding approvals.

This undeveloped property consists of gently sloping upland grassland habitat interspersed with juniper trees typical of south facing slopes on Flathead Lake's west shore. This habitat type is defined as Rocky Mountain Lower Montane, Foothill and Valley Grassland by the Montana Natural Heritage Program (MNHP). Closer to the shoreline, there is a small wetland area with riparian vegetation. Site development would not occur on or immediately adjacent to the wetland area. Noxious weeds including Spotted Knapweed, Canada Thistle Hounds Tongue, Oxeye Daisy and

Field bindweed are present on the property. Noxious weeds would be monitored and controlled per FWP's Statewide Noxious Weed Management Plan and in coordination with the Lake County Weed District. The site is bordered by private property to the east and west, Highway 93 to the north and Flathead Lake to the south. The property to the east is a subdivision that includes multiple homes. The property to the west remains undeveloped.

Figure 3. The Mattson Property looking south from US Highway 93. Wild Horse Island (left) and Cromwell Island visible.

Common wildlife species that frequent the proposed acquisition area include white-tailed deer, mule deer, elk, coyote, gray wolf, red fox, mountain lion, moose, black bear, beaver, muskrats, small mammals, bald eagles, osprey, other raptors, waterfowl, and migratory and neotropical song birds. Numerous Species of Concern (SOC) have been observed in the vicinity of the property, but the property is not known to provide critical habitat for any of these species. Grizzly bears, a federally listed Threatened Species, may also occasionally range through this property but the property is not known to provide critical habitat for the species. Attractants at the site will be mitigated through bear-resistant garbage dumpsters and frequent patrolling.

Table 1. Montana state Species of Concern (SOC) or other sensitive species found near the property.

Common Name	**Scientific Name**
Townsends Big-eared Bat	Corynorhinus townsendii

Hoary Bat	Lasiurus cinereus
Fringed Myotis	Myotis thysanodes
Fisher	Pekania pennati
Grizzly Bear	Ursus arctos
Peregrine Falcon	Falco peregrinus
Cassin's Finch	Haemorhous cassinii
Clark's Nutcracker	Nucifraga Columbiana
Brewer's Sparrow	Spizella breweri
Great Gray Owl	Strix nebulosi
Westslope Cutthroat Trout	Oncorhynchus clarkia lewisi
Pygmy Whitefish	Prosopium confluentus
Bull Trout	Salvelinus conflutentus
Sheathed Slug	Zacoleus idahoensis
Bald Eagle	Haliaeetus leucocephalus

The site would be developed and managed under FWP's Fishing Access Site (FAS) program to provide access to quality angling and water based recreational activities. FWP operates 337 FAS's statewide and 34 in Region 1 (northwest Montana). FWP currently operates five Fishing Access Sites on Flathead Lake; this site would be the sixth. FWP also operates six State Parks at Flathead Lake that provide camping opportunities in addition to lake access. Many of the existing FAS and State Park units at Flathead Lake are operating near or above capacity during the busy summer season. The addition of this property to the FAS program would help relieve pressure on the existing Fishing Access Sites, such as Somers FAS and Flathead Lake State Parks, as well as the Lake County access sites in Dayton and at Elmo.

Site development would likely consist of an access road, parking areas, boat ramp, boat dock, vault latrine, signage and boundary fencing (Figure 4). Parking would accommodate up to 36 boat trailer parking spaces and 12 single vehicle spaces. A single host campsite with electric, water and sewer hook ups would be provided, and a volunteer host would live on-site during the summer months to monitor the site and do routine cleaning and maintenance and manage pubic use. The property boundaries would be fenced and signed to prevent trespass onto neighboring properties.

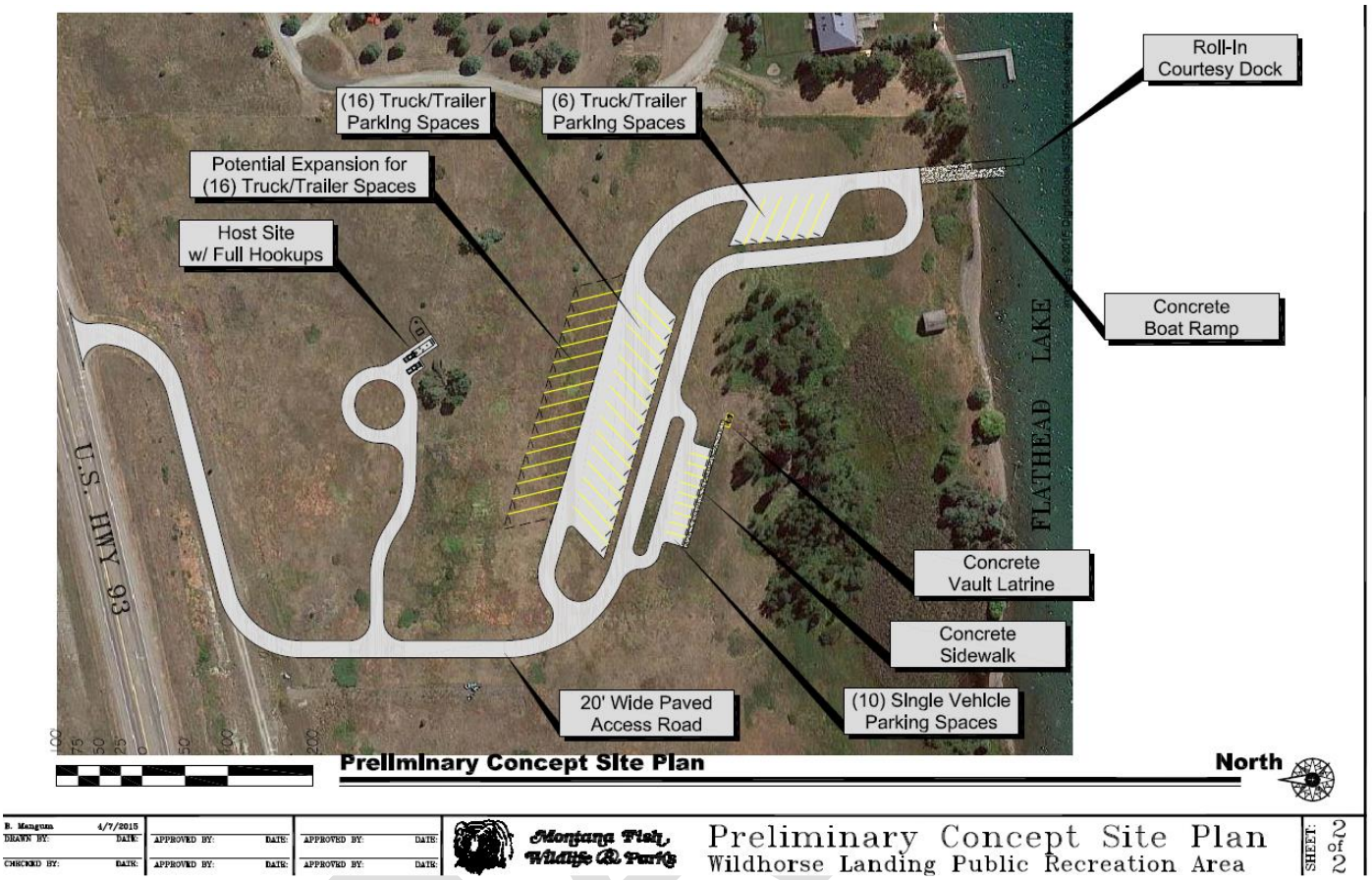

Figure 4. Potential site development plan (preliminary)

The site would be managed as a day-use only site under existing FAS public-use regulations. Public safety, natural resource protection and consideration of neighboring property owners and residents are primary concerns. The regulations include but are not limited to:

- Day-use only; no camping
- No fires or fireworks
- No shooting
- No littering (pack it in, pack it out)
- Vehicles permitted only on established roads and parking areas
- Commercial-use by permit only
- Groups of 30 or more by permit only

All regulations would be posted on-site and Montana Fish, Wildlife & Parks personnel would periodically monitor and patrol the site for violations. Montana Fish, Wildlife and Parks Enforcement personnel would ensure FWP rules and regulations at the site are followed. A volunteer, on-site host would be provided during the summer season to clean and monitor the site for violations.

PART II. ENVIRONMENTAL REVIEW

1. Description and analysis of reasonable alternatives:

Alternative A: No Action

If no action was taken, FWP would not purchase or develop the property for public access. The property would remain in private ownership and the property would likely be developed eventually. Public access would remain prohibited.

Alternative B: Proposed Action

FWP would acquire 14.89 acres of property along Flathead Lake for inclusion in the statewide Fishing Access Site (FAS) system. The property would be developed with an access road, parking area, boat launch, dock, vault latrine, signage, boundary fencing and host campsite. Acquisition and development of the property by FWP would ensure future public access and prevent residential or commercial development of the property.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

FWP would employ Best Management Practices (BMPs) (Appendix D) during construction to reduce or eliminate sediment delivery to waterways. A private contractor selected through the State's contracting process would complete the construction. All federal, state and county permits necessary for construction would be obtained prior to construction.

PART III. ENVIRONMENTAL REVIEW CHECKLIST

Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. LAND RESOURCES Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Soil instability or changes in geologic substructure?		X				
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1a
c. Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		Yes	1b
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X			.	

1a. Construction of the access road parking areas, boat ramps and host campsite would require the removal of vegetation and topsoil. The site is not currently in agricultural production. FWP would employ BMPs (Appendix D) to minimize erosion and siltation to the lake.

1b. Construction of the boat ramp would alter the character of the shoreline in the immediate vicinity of the boat ramp. The ramp would be designed to minimize changes in shoreline erosion patterns and would comply with Federal, State and County regulations.

2. AIR Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Emission of air pollutants or deterioration of ambient air quality?			X		X	2a
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs?		X				

2a. Dust and exhaust may be temporarily generated through construction activities. This impact would be short term and limited to the immediate construction area. Road dust could be generated with use of the site. FWP would apply dust abatement measures if necessary.

3. WATER Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a
b. Changes in drainage patterns or the rate and amount of surface runoff?			X		Yes	3b
c. Alteration of the course or magnitude of floodwater or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?			X			3c
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. For P-R/D-J, will the project affect a designated floodplain?		X				
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations?		X				

3a. Construction of the proposed development including the boat ramp could cause a temporary increase in turbidity in Flathead Lake. FWP would obtain necessary permits before construction and follow BMPs (Appendix D) during construction

3b. The proposed construction of roads, parking areas, boat ramps and other facilities may alter drainage patterns and surface runoff. FWP would design these improvements to minimize surface runoff and catch it before it enters the water. FWP BMPs would be followed (Appendix D)

3c. The use of heavy equipment during construction could result in a risk of contamination from petroleum products or other chemicals. This risk would be minimal and FWP BMPs would be followed to mitigate this risk (Appendix D)

4. VEGETATION Will the proposed action result in?	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		Yes	4a
b. Alteration of a plant community?			X		Yes	4b
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X		Yes	4c
f. For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				4d

4a,b,c. Construction of the access roads, parking areas, boat ramp, and host campsite would require the removal of vegetation, primarily native and non-native grasses. FWP would design these developments to minimize impacts to vegetation. FWP would re-seed impacted areas and implement it noxious weed monitoring and control on the entire as per FWP's Statewide Noxious Weed Management Plan.

4d. FWP would design the site layout to avoid any impacts to an existing wetland near the shoreline.

5. FISH/WILDLIFE Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Deterioration of critical fish or wildlife habitat?			X			1a.
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?			X			1d.
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			1g.
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat?			X			1h
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location?		X				1i

1a, h. Flathead Lake is considered critical habitat for Bull Trout, a species listed as Threatened under the Endangered Species Act. Construction of the boat ramp is the only development that will extend into the lake. This development is not anticipated to negatively impact critical habitat for Bull Trout. FWP would follow BMPs and comply with Lake County Lakeshore protection regulations. Grizzly bears, a species listed as Threatened under the ESA, have a home range across northwest Montana, including the project area. But the project area is not considered primary habitat for the species. Any potential impacts to grizzly bears would be expected to be minimal at most, particularly because the surrounding area is already developed.

1d, i. Increased use at the property may increase the possibility of an intentional or unintentional unauthorized introduction at this site.

1g. Angling pressure may increase in the vicinity of this Fishing Access Site which may result in increased capture of Bull Trout. Angling for and harvest of Bull Trout is prohibited. Bull Trout caught while angling for other species must be immediately released.

B. HUMAN ENVIRONMENT

6. NOISE/ELECTRICAL EFFECTS Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Increases in existing noise levels?			X		Yes	6a
b. Exposure of people to severe or nuisance noise levels?			X		Yes	6a
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				

6a,b. Some noise would be generated by heavy equipment during construction. This noise would be minimal and limited to the active construction period. Some noise would be generated as the result of public use of the site. The site would not be open to camping or overnight use, fires, fireworks, and shooting would be prohibited. The site would be monitored by an on-site host during the summer season and by FWP FAS employees and Game Wardens during the off season to mitigate the impacts of noise on neighbors.

7. LAND USE Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				

7a,b,c,d. The proposed project would not affect land use. There are no residences on the property and the property is not being used for agricultural production. The proposed project would not affect use or productivity of adjacent private property.

8. RISK/HEALTH HAZARDS Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor*	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?			X		Yes	8a,b
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. For P-R/D-J, will any chemical toxicants be used? (Also see 8a)			X		X	8a,b

8a,b. There is a minor risk of fuel, oil or other chemicals being spilled or causing a fire or explosion during construction activities. Contractors would be responsible for ensuring safe operation and practices including spill containment measures and fire prevention measures. This risk is minimal and temporary.

Upon acquisition of the property, FWP would begin monitoring and treating noxious weeds on the site in accordance with FWP's Statewide Noxious Weed Management Plan. This treatment would include the use of pesticides by licensed applicators in accordance will all applicable laws and label guidelines. There is a minor risk of spills associated with this activity and staff would be equipped with the appropriate training and equipment to respond in the event of a spill.

9. COMMUNITY IMPACT Will the proposed action result in:						
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X			9c,d
d. Changes in industrial or commercial activity?			X			9c,d
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				

9c,d. The proposed project could generate some commercial activity in nearby communities as

users may seek services such as food, gas, bait and lodging. Some commercial services could be permitted to operate in the proposed FAS through FWP's Commercial Use Regulations

10. PUBLIC SERVICES/TAXES/UTILITIES **Will the proposed action result in:**	**IMPACT ∗**					
	Unknown ∗	**None**	**Minor ∗**	**Potentially Significant**	**Can Impact Be Mitigated ∗**	**Comment Index**
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?			X		Yes	10b
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. Define projected revenue sources		X				
f. Define projected maintenance costs.						10f

10b. FWP would pay property taxes on the property if acquired.

10f. Projected annual operation cost would be approximately $5,000 from FWP's regional FAS operations and maintenance budget.

** 11. AESTHETICS/RECREATION Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X		Yes	11a.
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)			X			11c.
d. For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				

11a. The development of the property with an access road, parking areas, boat ramp, dock and host campsite would affect the aesthetics of the site. FWP would design the site to blend in with the natural surroundings as much as possible. If property remains in private ownership it could be developed with multiple residences.

11c. The proposed project would improve the quality and quantity of recreational opportunities in the area by providing additional access to Flathead Lake for angling, boating, swimming, picnicking and other uses. See Tourism Report (Appendix B)

12. CULTURAL/HISTORICAL RESOURCES Will the proposed action result in:	IMPACT *					
	Unknown *	None	Minor *	Potentially Significant	Can Impact Be Mitigated *	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?	X					12a,d
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)	X					12a,d

12a,d. The Montana State Historical Preservation Office would be consulted prior to any construction activities. If cultural resources were suspected to be onsite, further investigation and survey would be initiated prior to any work beginning.

SIGNIFICANCE CRITERIA

13. SUMMARY EVALUATION OF SIGNIFICANCE **Will the proposed action, considered as a whole:**	**IMPACT ***					
	Unknown *	**None**	**Minor ***	**Potentially Significant**	**Can Impact Be Mitigated ***	**Comment Index**
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. ****For P-R/D-J, list any federal or state permits required.						13g

13. During construction there would be minor and temporary impacts to the physical environment, but those impacts would be short-term and limited to the immediate construction area. The proposed project would improve recreational opportunities in the area and would benefit the community in the long term.

13g. All necessary permits would be secured prior to construction. Necessary permits include:
- Lake County Lakeshore Construction
- Lake County Sanitation
- Montana Department of Environmental Quality 318 Short Term Water Quality Standard
- US Corps of Engineers 404 Federal Clean Water Act

PART III. NARRATIVE EVALUATION AND COMMENT

During construction of the proposed project there would be minor and temporary impacts to the physical environment, but the impacts would be short-term and limited to the immediate construction site. In the long term the proposed acquisition and development would benefit the community by improving recreational opportunities in the area. The proposed action would have no negative cumulative effects on the physical, biological and human environments. The proposed action would improve the public's recreational use of Flathead Lake.

The minor impacts to the environment that were identified in the previous section are small in scale and would not influence the overall environment of the immediate area. All the impacts identified can be mitigated through thoughtful site design and layout, BMPs, careful planning and monitoring and enforcement of FWP's public use regulations.

Wildlife that do occur in the area are likely accustomed to the presence of humans as the property is bordered on two sides by residences. If the property were to remain in private ownership, it would likely be developed for residential use.

The proposed acquisition and development of a FAS at this site would provide a safe and quality access for fishing, boating, swimming and other appropriate recreational activities. The project would improve overall access to recreational opportunities on Flathead Lake.

PART IV. PUBLIC PARTICIPATION

1. Describe the level of public involvement for this project, if any, and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

The public will be notified in the following manners to comment on the Mattson FAS/Property Acquisition:

- Two public notices in each of these papers: *Daily Inter Lake, Helena Independent Record,* and the *Lake County Leader.*
- Public notice on the Fish, Wildlife & Parks webpage: *http://fwp.mt.gov.*
- Direct notice will be given to adjacent landowners.
- Draft EA's will be available at the FWP Region 1 Headquarters in Kalispell.
- A news release will be prepared and distributed to a standard list of media outlets interested in FWP Region 1 issues.
- Copies of this environmental assessment will be distributed to the neighboring landowners and interested parties to ensure their knowledge of the proposed project.

This level of public notice and participation is appropriate for a project of this scope having limited impacts, many of which can be mitigated.

2. Duration of comment period.

The public comment period will extend for (30) thirty days, starting July 11, 2020. Written comments will be accepted until 5 p.m., August 9, 2020 and can be e-mailed to

tpowell@mt.gov,

or mailed to the address below:

Mattson FAS/Property Acquisition
Montana Fish, Wildlife & Parks
490 N. Meridian Rd
Kalispell, MT 59901
(406) 752-5501

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? NO
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.
Based on an evaluation of impacts to the physical and human environment under MEPA, this environmental review revealed no significant negative impacts from the proposed action: therefore, an EIS is not necessary and an environmental assessment is the appropriate level of analysis. In determining the significance of the impacts, Fish, Wildlife and Parks assessed the severity, duration, geographic extent, and frequency of the impact, the probability that the impact would occur or reasonable assurance that the impact would not occur. FWP assessed the growth-inducing or growth-inhibiting aspects of the impact, the importance to the state and to society of the environmental resource or value effected, any precedent that would be set as a result of an impact of the proposed action that would commit FWP to future actions; and potential conflicts with local, federal, or state laws. As this EA revealed no significant impacts from the proposed actions, an EA is the appropriate level of review and an EIS is not required.

2. Persons responsible for preparing the EA:
Tony Powell, Regional Fishing Access Site Manager, MTFWP Region 1

Dillon Tabish, Regional Information and Education Program Manager, MTFWP Region 1

3. List of agencies consulted during preparation of the EA:
Lake County Weeds District
Montana Department of Commerce – Tourism
Montana Fish, Wildlife & Parks
- Design and Construction
- Lands Unit
- Responsive Management Unit
- Fisheries Division
- Wildlife Division

Montana Natural Heritage Program

APPENDICES

A. MCA 23-1-110 Qualification Checklist
B. Tourism Report – Department of Commerce
C. Lake County Weed Inventory
D. FWP Best Management Practices(BMPS)

APPENDIX A
23-1-110 MCA
PROJECT QUALIFICATION CHECKLIST

Date: 7/6/2020 **Person Reviewing:** Tony Powell

Project Location: The property is in Lake County, Montana, off U.S. Highway 93 along Montibello Lane and approximately one mile east of Dayton, and on the western shore of Flathead Lake. There is an approach and road that accesses this property and a nneighboring property. The land is in Section 2, Township 24 North, Range 21 West

Description of Proposed Work: Montana Fish, Wildlife and Parks (FWP) proposes to purchase 14.89 acres along US Highway 93 at Montibello Lane adjacent to Flathead Lake to be developed and managed as a Fishing Access Site (FAS). The proposed site is approximately one mile east of Dayton, Montana. Site developments would include access roads, parking area, a concrete boat ramp, boat dock, vault latrine, on-site host site, signage and boundary fencing. This proposal would increase public access on Flathead Lake for boating, fishing and shore-based recreation.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check ✓ all that apply and comment as necessary.)

[X] A. New roadway or trail built over undisturbed land?
Comments*:* Access roads and parking areas.

[ ] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments*:*

[X] C. Any excavation of 20 c.y. or greater?
Comments*:*

[X] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments*:*

[ ] E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?
Comments*:*

[X] F. Any new construction into lakes, reservoirs, or streams?
Comments*:* Concrete boat ramp.

[ ] G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?
Comments*:* The State Historic Preservations Office will be consulted prior to staring work

[ ] H. Any new above ground utility lines?
Comments*:*

[ ] I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?
Comments*:*

[X] J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?
Comments*:* The project would open the property to public access and recreation.

If any of the above are checked, 23-1-110 MCA rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

APPENDIX B
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA) & MCA 23-1-110

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by MCA 23-1-110 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Jan Stoddard, Bureau Chief, Industry Services and Outreach
Montana Office of Tourism & Business Development
301 S. Park Ave, Helena, MT 59601

Project Name: Mattson Property Fishing Access Site Acquisition and Development

Project Description: Montana Fish, Wildlife and Parks (FWP) proposes to purchase 14.89 acres on Flathead Lake to be developed and managed as a Fishing Access Site (FAS) off U.S. Highway 93 along Montibello Lane approximately one mile east of Dayton, Montana. Site developments would include access roads, parking area, a concrete boat ramp, boat dock, vault latrine, on-site host site, signage and boundary fencing. This proposal would increase public access on Flathead Lake for boating, fishing and shore-based recreation.

Would this site development project have an impact on the tourism economy?
NO **YES** If YES, briefly describe:

Yes, as described, the project has the potential to positively impact the tourism and recreation industry economy if properly maintained. Montana residents use and value state parks. A 2018 ITRR study confirmed that over half of Montana residents 18 and older use Montana State Parks at least once a year and that the importance of having state parks is agreed upon by all residents.

Additionally, Montana's 12.6 million non-resident visitors spent over $3.8 billion in the state in 2019 (University of Montana's Institute for Tourism and Recreation Research, 2020). Recreation access and activities in state parks are in high demand for visitors with continually increasing intent to visit a state park while visiting Montana. This intent to visit has dramatically increased this year as a result of the pandemic and a desire for safe outdoor recreation experiences. Flathead Lake is one of Montana's most important water recreation assets as the largest natural freshwater lake west of the Mississippi in the lower 48 states with over 200 square miles of water and 185 miles of shoreline. The existing 11 Fishing Access Sites (FAS) and State Parks around Flathead Lake are popular and heavily used by both resident and non-resident recreationalists and visitors. This project would add an additional, easily accessible FAS providing boating, fishing and shore-based recreation.

Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?

NO **YES** If YES, briefly describe:

Yes, as described, the project has the potential to improve quality and quantity of tourism and recreational opportunities. Site developments, including a parking area, a concrete boat ramp, boat dock, vault latrine, on-site host site, signage and boundary fencing would provide a safe and sustainable site. We are assuming the agency has determined it has necessary funding for the on-going operations and maintenance once this project is complete.

Signature *Jan Stoddard* Date: 7/7/20

APPENDIX C
Lake County Weed Inspection Report

FWP Land Acquisition – Weed Inspection and Report

COMPLIANCE CHECKLIST FOR SECTION 7-22-2154, MCA

FWP Regional Staff: Please return this form to
FWP Lands Bureau, P.O. Box 200701, Helena, MT 59620

Property Name: Mattson FWP Region: 1

County: Lake

Date of Property Inspection with County Weed Management District: 7/1/20

County Representative(s): Tyler Linse

FWP Staff: Tony Powell, Regional Fishing Access Site Manager

County Weed Management District - Inspection Report (Please attach weed inspection report or use the space below to describe noxious weeds present on the property, including observations of weed distribution and abundance):

Houndstongue, Canada Thistle, Spotted knapweed, Oxeye Daisy, and Field Bindweed. Large patches of Houndstongue and Canada Thistle are Prevalent throughout the property. Other Weeds mentioned above are Sporatic.

Noxious Weed Management Agreement (Please attach applicable weed management agreement or use the space below to indicate how noxious weeds on the property will be managed when the property is under FWP ownership. Indicate if property will be included in an FWP county or regional weed management plan):

No current FWP / Lake County Weed Management Plan in Place. FWP Will Control Weeds according to Montana State Management Plan. Recommended herbicides include aminopyralid (Milestone, Garzon) for Canada Thistle, Spotted knapweed, and Oxeye Daisy, Metsulfuron (Escort, Metsol) for Houndstongue, and dicamba (Weedmaster, Rifle D) for Field Bindweed.

County Weed Management District Representative: I have inspected the property, and reviewed the weed situation with a representative of Montana Fish, Wildlife & Parks. I concur with FWP's weed management plan for the property, as presented above and/or described in the attached information.

Signed: Tyler Linse Date: 7/1/20

APPENDIX D
MONTANA FISH, WILDLIFE AND PARKS
BEST MANAGEMENT PRACTICES
10-02-02
Updated May 1, 2008

I. ROADS

A. Road Planning and location

1. Minimize the number of roads constructed at the FAS through comprehensive road planning, recognizing foreseeable future uses.
    a. Use existing roads, unless use of such roads would cause or aggravate an erosion problem.
2. Fit the road to the topography by locating roads on natural benches and following natural contours. Avoid long, steep road grades and narrow canyons.
3. Locate roads on stable geology, including well-drained soils and rock formations that tend to dip into the slope. Avoid slumps and slide-prone areas characterized by steep slopes, highly weathered bedrock, clay beds, concave slopes, hummocky topography, and rock layers that dip parallel to the slope. Avoid wet areas, including seeps, wetlands, wet meadows, and natural drainage channels.
4. Minimize the number of stream crossings.
    a. Choose stable stream crossing sites. "Stable" refers to streambanks with erosion-resistant materials and in hydrologically safe spots.

B. <u>Road Design</u>

1. Design roads to the minimum standard necessary to accommodate anticipated use and equipment. The need for higher engineering standards can be alleviated through proper road-use management. "Standard" refers to road width.
2. Design roads to minimize disruption of natural drainage patterns. Vary road grades to reduce concentrated flow in road drainage ditches, culverts, and on fill slopes and road surfaces.

C. <u>Drainage from Road Surface</u>

1. Provide adequate drainage from the surface of all permanent and temporary roads. Use outsloped, insloped or crowned roads, installing proper drainage features. Space road drainage features so peak flow on road surface or in ditches will not exceed their capacity.
    a. Outsloped roads provide means of dispersing water in a low-energy flow from the road surface. Outsloped roads are appropriate when fill slopes are stable, drainage will not flow directly into stream channels, and transportation safety can be met.
    b. For insloped roads, plan ditch gradients steep enough, generally greater than 2%, but less than 8%, to prevent sediment deposition and ditch erosion. The steeper gradients may be suitable for more stable soils; use the lower gradients for less stable soils.
    c. Design and install road surface drainage features at adequate spacing to control erosion; steeper gradients require more frequent drainage features.

Properly constructed drain dips can be an economical method of road surface drainage. Construct drain dips deep enough into the sub-grade so that traffic will not obliterate them.

2. For ditch relief/culverts, construct stable catch basins at stable angles. Protect the inflow end of cross-drain culverts from plugging and armor if in erodible soil. Skewing ditch relief culverts 20 to 30 degrees toward the inflow from the ditch will improve inlet efficiency.
3. Provide energy dissipators (rock piles, slash, log chunks, etc.) where necessary to reduce erosion at outlet of drainage features. Cross-drains, culverts, water bars, dips, and other drainage structures should not discharge onto erodible soils or fill slopes without outfall protection.
4. Route road drainage through adequate filtration zones, or other sediment-settling structures. Install road drainage features above stream crossings to route discharge into filtration zones before entering a stream.

D. Construction/Reconstruction

1. Stabilize erodible, exposed soils by seeding, compacting, riprapping, benching, mulching, or other suitable means.
2. At the toe of potentially erodible fill slopes, particularly near stream channels, pile slash in a row parallel to the road to trap sediment. When done concurrently with road construction, this is one method to effectively control sediment movement and it also provides an economical way of disposing of roadway slash. Limit the height, width and length of these "slash filter windrows" so not to impede wildlife movement. Sediment fabric fences or other methods may be used if effective.
3. Construct cut and fill slopes at stable angles to prevent sloughing and subsequent erosion.
4. Avoid incorporating potentially unstable woody debris in the fill portion of the road prism. Where possible, leave existing rooted trees or shrubs at the toe of the fill slope to stabilize the fill.
5. Place debris, overburden, and other waste materials associated with construction and maintenance activities in a location to avoid entry into streams. Include these waste areas in soil stabilization planning for the road.
6. When using existing roads, reconstruct only to the extent necessary to provide adequate drainage and safety; avoid disturbing stable road surfaces. Consider abandoning existing roads when their use would aggravate erosion.

E. <u>Road Maintenance</u>

1. Grade road surfaces only as often as necessary to maintain a stable running surface and to retain the original surface drainage.
2. Maintain erosion control features through periodic inspection and maintenance, including cleaning dips and cross-drains, repairing ditches, marking culvert inlets to aid in location, and clearing debris from culverts.
3. Avoid cutting the toe of cut slopes when grading roads, pulling ditches, or plowing snow.
4. Avoid using roads during wet periods if such use would likely damage the road

drainage features. Consider gates, barricades or signs to limit use of roads during wet periods.

II. RECREATIONAL FACILITIES (parking areas, campsites, trails, ramps, restrooms)

A. Site Design

1. Design a site that best fits the topography, soil type, and stream character, while minimizing soil disturbance and economically accomplishing recreational objectives. Keep roads and parking lots at least 50 feet from water; if closer, mitigate with vegetative buffers as necessary.
2. Locate foot trails to avoid concentrating runoff and provide breaks in grade as needed. Locate trails and parking areas away from natural drainage systems and divert runoff to stable areas. Limit the grade of trails on unstable, saturated, highly erosive, or easily compacted soils
3. Scale the number of boat ramps, campsites, parking areas, bathroom facilities, etc. to be commensurate with existing and anticipated needs. Facilities should not invite such use that natural features will be degraded.
4. Provide adequate barriers to minimize off-road vehicle use

B. Maintenance: Soil Disturbance and Drainage

1. Maintenance operations minimize soil disturbance around parking lots, swimming areas and campsites, through proper placement and dispersal of such facilities or by reseeding disturbed ground. Drainage from such facilities should be promoted through proper grading.
2. Maintain adequate drainage for ramps by keeping side drains functional or by maintaining drainage of road surface above ramps or by crowning (on natural surfaces).
3. Maintain adequate drainage for trails. Use mitigating measures, such as water bars, wood chips, and grass seeding, to reduce erosion on trails.
4. When roads are abandoned during reconstruction or to implement site-control, they must be reseeded and provided with adequate drainage so that periodic maintenance is not required.

III. RAMPS AND STREAM CROSSINGS

A. Legal Requirements

1. Relevant permits must be obtained prior to building bridges across streams or boat ramps. Such permits include the SPA 124 permit, the COE 404 permit, and the DNRC Floodplain Development Permit.

B. Design Considerations

1. Placement of boat ramp should be such that boats can load and unload with out difficulty and the notch in the bank where the ramp was placed does not encourage bank erosion. Extensions of boat ramps beyond the natural bank can also encourage erosion.
2. Adjust the road grade or provide drainage features (e.g. rubber flaps) to reduce the concentration of road drainage to stream crossings and boat ramps. Direct drainage flow through an adequate filtration zone and away from the ramp or

crossing through the use of gravel side-drains, crowning (on natural surfaces) or 30-degree angled grooves on concrete ramps.

3. Avoid unimproved stream crossings on permanent streams. On ephemeral streams, when a culvert or bridge is not feasible, locate drive-throughs on a stable, rocky portion of the stream channel.
4. Unimproved (non-concrete) ramps should only be used when the native soils are sufficiently gravelly or rocky to withstand the use at the site and to resist erosion.

C. Installation of Stream Crossings and Ramps

1. Minimize stream channel disturbances and related sediment problems during construction of road and installation of stream crossing structures. Do not place erodible material into stream channels. Remove stockpiled material from high water zones. Locate temporary construction bypass roads in locations where the stream course will have a minimal disturbance. Time the construction activities to protect fisheries and water quality.
2. Where ramps enter the stream channel, they should follow the natural streambed in order to avoid changing stream hydraulics and to optimize use of boat trailers.
3. Use culverts with a minimum diameter of 15 inches for permanent stream crossings and cross drains. Proper sizing of culverts may dictate a larger pipe and should be based on a 50-year flow recurrence interval. Install culverts to conform to the natural streambed and slope on all perennial streams and on intermittent streams that support fish or that provide seasonal fish passage. Place culverts slightly below normal stream grade to avoid culvert outfall barriers. Do not alter stream channels upstream from culverts, unless necessary to protect fill or to prevent culvert blockage. Armor the inlet and/or outlet with rock or other suitable material where needed.
4. Prevent erosion of boat ramps and the affected streambank through proper placement (so as to not catch the stream current) and hardening (riprap or erosion resistant woody vegetation).
5. Maintain a 1-foot minimum cover for culverts 18-36 inches in diameter, and a cover of one-third diameter for larger culverts to prevent crushing by traffic.